

RECEIVED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

2019 JUL 24 PM 4:29

☐ Eastern (Jackson) DIVISION

☒ Western (Memphis) DIVISION

THOMAS M. COLE

7742 U.S. DISTRICT COURT

Curtis Jackson

Plaintiff,

vs.

Valero Refining Company
Tennessee, LLC

Defendant.

No. _____

COMPLAINT

1. This action is brought for discrimination in employment pursuant to (check only those that apply):



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166) (race, color, gender, religion, national origin).

NOTE: In order to bring a suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 – 634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 92-592, the Civil Rights Act of 1991, Pub. L. No. 102-166)

NOTE: In order to bring a suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 – 12117 (amended by the ADA Amendments Acts of 2008, Pub. L. No. 110-325 and the Civil Rights Act of 1991, Pub. L. No. 1102-166).

NOTE: In order to bring a suit in federal district court under the Americans with Disabilities Act, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

JURISDICTION

2. Jurisdiction is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub. L. No. 102-166, and any related claims under Tennessee law.

PARTIES

3. Plaintiff resides at:

4170 Old Forest Road

STREET ADDRESS

Shelby

County

Tennessee

State

38125

Zip Code

901-737-1617

Telephone Number

4. Defendant(s) resides at, or its business is located at:

543 W. Mallory Avenue

STREET ADDRESS

Shelby

County

Memphis

City

Tennessee

State

38109

Zip Code

NOTE: If more than one defendant, you must list the names, address of each additional defendant.

5. The address at which I sought employment or was employed by the defendant(s) is:

543 W. Mallory Avenue

STREET ADDRESS

Shelby, Memphis, Tennessee, 38109
County City State Zip Code

6. The discriminatory conduct of which I complain in this action includes *(check only those that apply)*

- ☐ Failure to hire
- ☒ Termination of my employment
- ☐ Failure to promote
- ☒ Failure to accommodate my disability
- ☐ Unequal terms and conditions of my employment
- ☒ Retaliation
- ☐ Other acts(specify): _____

NOTE: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

7. It is my best recollection that the alleged discriminatory acts occurred on:
March 21, 2018
Date(s)

8. I believe that the defendant(s) *(check one)*:

- ☒ is still committing these acts against me.
- ☐ is not still committing these acts against me.

9. Defendant(s) discriminated against me based on my:
(check only those that apply and state the basis for the discrimination. For example, if religious discrimination is alleged, state your religion. If racial discrimination is alleged, state your race, etc.)

☒ Race Black

☐ Color _____

☐ Gender/Sex _____

☐ Religion _____

☐ National Origin _____

☒ Disability Right Knee replacement

☐ Age. If age is checked, answer the following:
I was born in _____. At the time(s) defendant(s) discriminated against me.

I was [] more [] less than 40 years old. (check one)

NOTE: Only those grounds raised in the charge filed the Equal Employment Opportunity Commission can be considered by the federal district court.

10. The facts of my case are as follows:

I believe that I have been discriminated against because of my race, Black in violation of the Title VII of the Civil Rights Act of 1964, as amended; my being perceived as having a disability in violation of the Americans with Disabilities Act Amendments Act; and retaliated against for filing previous charges of discrimination. (EEOC Charge Nos.: 490-2007-00876, 490-2007-02517, and 490-2016-02146) and 490-2018-01208.

(Attach additional sheets as necessary)

NOTE: As additional support for your claim, you may attach to this complaint a copy of the

charge filed with the Equal Employment Opportunity Commission or the Tennessee Human Rights Commission.

11. It is my best recollection that I filed a charge with the Tennessee Human Rights Commission regarding defendant's alleged discriminatory conduct on: _____
12. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct on: 09/20/2018
Date

Only litigants alleging age discrimination must answer Question #13.

13. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct. *(check one)*:

- ☐ 60 days or more have elapsed
- ☐ Less than 60 days have elapsed.

14. The Equal Employment Opportunity Commission *(check one)*:

- ☐ has not issued a Right to Sue Letter.
- ☒ has issued a Right to Sue letter, which I received on 04/29/2019
Date

NOTE: *This is the date you received the Right to Sue letter, not the date the Equal Employment Opportunity Commission issued the Right to Sue letter.*

15. Attach a copy of the Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.

NOTE: *You must attach a copy of the right to sue letter from the Equal Employment Opportunity Commission.*

16. I would like to have my case tried by a jury:

- ☒ Yes
- ☐ No

WHEREFORE, plaintiff prays that the Court grant the following relief:

- ☐ direct that the Defendant employ Plaintiff, or
- ☐ direct that Defendant re-employ Plaintiff, or
- ☐ direct that Defendant promote Plaintiff, or
- ☐ order other equitable or injunctive relief as follows: _____

☐ direct that Defendant pay Plaintiff back pay in the amount of _____ and interest on back pay;

☒ direct that Defendant pay Plaintiff compensatory damages: Specify the amount and basis for compensatory damages: 600,000.00 in loss salaries
and three times 600,000.00 in punitive damages

Curtis Jackson
SIGNATURE OF PLAINTIFF

Date: July 24, 2019

4170 Old Forest Rd.
Address

Memphis Tennessee

901-737-1617
Phone Number